
Appeal Decision

Site visit made on 6 February 2016

by Richard McCoy BSc MSc DipTP MRTPI IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 24 February 2017

Appeal Ref: APP/R5510/D/16/3162060
15 Seaton Road, Hayes UB3 1NS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Raj Kalsi against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 17486/APP/2016/2105, dated 27 May 2016, was refused by notice dated 23 September 2016.
 - The development proposed is the alteration of the roof from pitched to flat on existing outbuilding.
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Decision

1. I dismiss the appeal.

Main Issue

2. The main issue is the effect of the outbuilding on the character and appearance of the area.

Reasons

3. No. 15 is a semi-detached house located on the south side of Seaton Road. It stands within a long narrow plot and has a rear garden which is around 22m in length. There is a small grassed area and a hardstanding to the front of the house.
 4. I note that the Council considered that the outbuilding would not be harmful to the living conditions of the occupiers of nearby dwellings and from my assessment I have no reason to disagree. However, the Council is concerned that the outbuilding would harmfully detract from the street-scene.
 5. In this regard, my attention was drawn to planning appeal decisions ref. APP/R5510/X/15/3135208 and APP/R5510/W/16/3143518 dated 10 May 2016 which relate to the appeal site. The former sought a certificate of lawful use or development (LDC) for the "conversion of roof space to habitable use to include a rear dormer, 2 front rooflights and conversion of roof from hip to gable end and an outbuilding to the rear", while the latter sought planning permission for "the retention of a single storey detached outbuilding in rear garden used for ancillary purposes to main dwelling as garden store and children's playroom". Both of the appeals were dismissed.
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6. In reaching his decisions, the previous Inspector clarified that "planning permission was granted in June 2014 (17486/APP/2014/289) for a part 2 storey, part single storey rear extension, porch infill to the front and a single storey outbuilding to the rear for use as a 'shed'". In addition, he clarified that "in August 2015 a LDC for conversion of the roof space to habitable use to include a rear dormer, 2 front rooflights and conversion of roof from hip to gable end was granted". The Inspector noted that these works covered most of those set out in the LDC appeal (APP/R5510/X/15/3135208) leaving only the replacing of the "unauthorised pitched roof structure which has not been built in accordance with the previous planning approval". He therefore made it clear that he had dealt with the LDC appeal on the basis that it related only to the proposed rear flat roofed outbuilding.
7. The Inspector further noted that "the existing unauthorised, pitched roof outbuilding is at the bottom of the garden and takes up its full width....it is 6.85m wide with a floor space of around 42.5m² and has been built with a gable roof to a total height of around 4m....the proposed outbuilding would replace the pitched roof with a flat roof and it would be no more than 2.5m in height".
8. In dismissing the appeals for the LDC and planning permission, the previous Inspector also made it clear that both the Council and Mr Kalsi (the appellant in these appeals) were in agreement that appeal ref APP/R5510/W/16/3143518 was in respect of the refusal of planning permission for the unauthorised pitched roof outbuilding and the LDC appeal ref. APP/R5510/X/15/3135208 proposed its replacement with a flat roofed outbuilding.
9. During my visit, I observed a pitched roof outbuilding standing at the bottom of the garden that spans the full width of the appeal site. From the submitted evidence, it would appear that the existing outbuilding at the appeal site is that cited by the previous Inspector (given its dimensions of around 6.8m x 6.2m with a ridge height of around 4m) and refused planning permission planning permission on appeal (APP/R5510/W/16/3143518). I have therefore dealt with this appeal on the same basis, namely a proposal to replace the unauthorised pitched roof building with a flat roofed building.
10. The proposed flat roofed building would occupy the same footprint as the existing but would have a mono pitch which would rise to around 2.5m and fall to around 2.2m. From my assessment, I agree with the previous Inspector when he opined that a proposed building of around 35m² would not be excessive in the context of the planning unit as a whole, and in principle, a proposed new building of that size (albeit the building under consideration in this appeal would have a floor area of around 42m²) could be considered to be reasonably required as being incidental to the enjoyment of the dwelling house. In this regard, I consider that the development would not conflict with policies BE19 and BE23 of the Hillingdon Local Plan Part 2, Saved UDP Policies (November 2012) (HLP).
11. However, in terms of the materials used on the finishes of the walls, the scale of the development and the positioning hard up against the boundaries, I consider that the previous Inspector's concerns, in respect of the harm to the character and appearance of the dwelling at no. 15 and the general appearance of the locality have not been overcome. While a flat roof is now proposed, I nevertheless consider that the footprint and finishes of the super structure of

the building would be very similar to the existing pitched roof outbuilding. In my judgement, these features would continue to result in the building dominating this part of the garden and detracting from the character of the gardens and properties to which it is adjacent.

12. Accordingly, the building would detract from, rather than enhance, the local distinctiveness of the area and as such would be contrary to Policies BE1 of the Hillingdon Local Plan Part 1, Strategic Policies (November 2012), HLP Policies BE13 and BE19, and the guidance within the Council's adopted Supplementary Planning Document *Hillingdon Design and Accessibility Statement: Residential Extensions* which advises that outbuildings should be set in from the boundaries by at least 500mm.
13. My attention was drawn to nearby developments claimed to be similar. However, the presence of these developments would not be justification for allowing a further development that I consider would be harmful to the character and appearance of the area.

Conclusion

14. While in my judgement the development would not be excessive in the context of the planning unit as a whole and would not harmfully change the living conditions of the occupiers of nearby dwellings, these considerations would not outweigh the other harm I have identified. Accordingly, for the reasons given above, I conclude that the appeal should be dismissed.

Richard McCoy

Inspector